

Message Text

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PAGE 01 STATE 165878

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ORIGIN ARA-10

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FM SECSTATE WASHDC

TO AMEMBASSY LA PAZ PRIORITY

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E.O. 11652: N/A

TAGS: PFOR, BL

SUBJECT: DETENTION OF JOSE FRANCIS MAZZI TAPIA

REF: LA PAZ 4702; LA PAZ 4807

1. MAZZI BEING HELD IN BOSTON ON CHARGES OF INVOLUNTARY MANSLAUGHTER AND FAILURE TO HAVE CONTROL OF HIS MOTOR VEHICLE. CHARGES STEM FROM JULY 5 ACCIDENT IN WHICH TWO PEOPLE WERE KILLED. PRELIMINARY HEARING IN BOSTON DISTRICT COURT WAS ORIGINALLY SCHEDULED FOR JULY 10 BUT HAS BEEN POSTPONED UNTIL JULY 18. IF CONVICTED, MAZZI LIKELY TO SPEND TWO YEARS IN PRISON.

2. DEPARTMENT INFORMED BOLIVIAN EMBASSY OF MAZZI'S DETENTION UPON RECEIPT OF LA PAZ 4702. FYI: EMBASSY DID NOT RECEIVE INSTRUCTIONS FROM FONMIN UNTIL MORNING JULY 14. END FYI. WE UNDERSTAND EMBASSY HAS INSTRUCTED BOLIVIAN CONSUL IN BOSTON TO CONTACT MAZZI AND OFFER ASSISTANCE. WE ALSO UNDERSTAND EMBASSY DISCUSSED SUBJECT OF HIRING A PRIVATE ATTORNEY WITH EMBASSY LAWYER AND CONSUL IN BOSTON, AND PLANS TO CABLE FONMIN SOONEST ADVISING THAT MAJ. MAZZI

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PAGE 02 STATE 165878

AUTHORIZE CONSUL TO HIRE A LAWYER TO REPRESENT HIS SON.

3. DEPARTMENT CONTACTED BOSTON BAR ASSOCIATION WHICH, AS IS USUAL PRACTICE, WILL ONLY MAKE AVAILABLE A LIST OF ATTORNEYS PRACTICING CRIMINAL LAW AND WILL NOT RECOMMEND INDIVIDUAL LAWYERS. COST IS DIFFICULT TO GAUGE AS LAWYERS GENERALLY CHARGE BY THE HOUR. HOURLY FEES VARY GREATLY, AS WOULD ESTIMATES OF AMOUNT OF TIME THIS CASE LIKELY TO CONSUME. MAJ. MAZZI WOULD BE BEST ADVISED TO LEAVE CHOICE OF LAWYER IN HANDS OF BOLIVIAN CONSUL ON THE SPOT. INGERSOLL

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